

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**RODERICK CLARK MILLER**

**PLAINTIFF**

**VERSUS**

**CAUSE NO. 1:07cv541LG-JMR**

**HARRISON COUNTY, MISSISSIPPI, by and  
through its Board of Supervisors, HARRISON  
COUNTY SHERIFF DEPARTMENT, SHERIFF  
GEORGE PAYNE, officially and in his  
individual capacity, DIRECTOR OF CORRECTIONS  
MAJOR DIANNE GATSON-RILEY, officially  
and in her individual capacity, BOOKING  
SUPERVISOR CAPTAIN RICK GASTON,  
officially and in his individual capacity,  
TRAINING DIRECTOR CAPTAIN PHIL TAYLOR,  
officially and in his individual capacity,  
CENTRAL CONTROL OFFICER PRESTON WILLS,  
officially and in his individual capacity, BOOKING  
ROOM DEPUTY JERRED MARK NECAISE,  
officially and in his individual capacity,  
BOOKING ROOM DEPUTY CATHERINE  
PAVOLINI, officially and in her individual capacity,  
AMERICAN CORRECTIONAL ASSOCIATION,  
and OTHER UNKNOWN JOHN and JANE DOES  
A-Z, also in their official and individual capacities**

**DEFENDANTS**

**DEFENDANT'S RULE 26 DESIGNATION OF EXPERT WITNESS**

COME NOW, Defendants, Harrison County Sheriff's Department, Sheriff George Payne, Jr., Officially and in his Individual Capacity, Dianne Gatson-Riley, Officially and in her Individual Capacity, Phil Taylor, Officially and in his Individual capacity, Preston Wills, in his Official Capacity only, and Catherine Pavolini, Officially and in her Individual Capacity, by and through the law firm of Dukes, Dukes, Keating & Faneca, P.A., and designates the following expert witness in accordance with Fed. R. Civ. P. 26:

Defendant specifically reserves the right to supplement this Designation and the report or opinion of his expert once Plaintiff's experts render their final opinions in this civil action and/or upon the receipt of additional information disclosed.

**1. W. Ken Katsaris  
Post office Box 12008  
Tallahassee, FL 32317-2008**

Mr. Katsaris' curriculum vitae, which includes his qualifications, education, and experience, a list of cases in which Mr. Katsaris has been involved as an expert witness during prior years, and a copy of Mr. Katsaris' preliminary report are attached collectively hereto as **Exhibit "A"**, which includes his opinions and reasons therefor, a description of the data or information considered by the expert witness in formulating his opinions, and a description of the exhibits relied upon as a summary of or in support of those opinions.

The exhibits relied upon by Mr. Katsaris in support of his opinions include those listed in his report, including but not limited to pleadings and discovery disclosures and responses filed in this case. Mr. Katsaris further relied upon any and all documents attached to the aforementioned pleadings or discovery requests or responses.

The compensation to be paid to Mr. Katsaris for his study and testimony will be in accordance with his fee schedule attached to and made a part of Exhibit "A".

The subject matter with reference to which Mr. Katsaris is expected to testify pertains to the evaluation of the pleadings, discovery, and other materials in the case and further to offer other relevant opinions as more fully detailed in his report, and any other relevant issues which may be related to any of the claims of Plaintiff in this litigation.

The substance of the facts and opinions to which Mr. Katsaris is expected to testify are set forth in his report of preliminary opinions which is attached hereto as Exhibit "A". Mr. Katsaris reserves the right to supplement his preliminary report upon his receipt of any supplemental or final opinions of Plaintiff's experts as well as the receipt of any additional

information and/or materials disclosed and/or received during this litigation.

All of the opinions of Mr. Katsaris regarding this litigation are based upon his review of discovery, pleadings, documents, and other pleadings in this action, in conjunction with his education, training and experience in related matters.

Defendant reserves the right to call all specially retained experts designated by any other parties to render expert opinions in a trial of this matter. Furthermore, Defendant reserves the right to supplement any and all opinions set forth herein and/or to add additional experts and their respective opinions and conclusions in accordance with the Court's Case Management Orders.

RESPECTFULLY SUBMITTED, this the 6<sup>TH</sup> day of May, 2008.

**HARRISON COUNTY SHERIFF'S  
DEPARTMENT, SHERIFF GEORGE PAYNE,  
JR., OFFICIALLY AND IN HIS INDIVIDUAL  
CAPACITY, DIANNE GATSON-RILEY,  
OFFICIALLY AND IN HER INDIVIDUAL  
CAPACITY, PHIL TAYLOR, OFFICIALLY AND  
IN HIS INDIVIDUAL CAPACITY, PRESTON  
WILLS, IN HIS OFFICIAL CAPACITY ONLY,  
AND CATHERINE PAVOLINI, OFFICIALLY  
AND IN HIS INDIVIDUAL CAPACITY**

**DUKES, DUKES, KEATING & FANCA, P.A.**

BY: S/Cy Faneca  
CY FANCA

Cy Faneca, MSB #5128  
Trace D. McRaney, MSB #9905  
Haley N. Broom, MSB #101838  
Jon S. Tiner, MSB #101733  
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**CERTIFICATE OF SERVICE**

I, CY FANECA, do hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Michael W. Crosby  
2111 25<sup>th</sup> Avenue  
Gulfport, Mississippi 39501  
Counsel for Plaintiff

Joseph Meadows, Esq.  
Post Office Drawer 1076  
Gulfport, Mississippi 39502  
Counsel for Harrison County

Ian A. Brendel  
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Counsel for Rick Gaston

George D. Hembree, III  
MCGLINCHEY STAFFORD  
P. O. Drawer 22949  
Jackson, MS 39225-2949  
Counsel for American Correctional Association

THIS, the 6<sup>th</sup> day of May, 2008.

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*s/Cy Faneca*  
CY FANECA